

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

DINERO MARTEZ WARREN,

Plaintiff,

CASE NO. 13-15230  
HON. MARIANNE O. BATTANI

v.

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

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**ORDER ADOPTING REPORT AND RECOMMENDATION  
GRANTING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT,  
DENYING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT,  
REVERSING THE FINDINGS OF THE COMMISSIONER, AND  
REMANDING PURSUANT TO SENTENCE FOUR**

Plaintiff Dinero Warren brings this action pursuant to 42 U.S.C. § 405(g), challenging the final decision of the Commissioner denying his application for supplemental security income benefits. Plaintiff filed the claim on September 17, 2010, alleging a disability onset date of January 11, 1994. In his Decision, dated August 7, 2012, the Administrative Law Judge ("ALJ") concluded that Plaintiff was not disabled.

After the Appeals Council denied review, Warren timely filed this action for judicial review of the Commissioner's decision. The case was referred to Magistrate Judge Michael Hluchaniuk pursuant to 28 U.S.C. § 636. In a Report and Recommendation ("R&R") dated February 18, 2015, Magistrate Judge Hluchaniuk recommended that Defendant's Motion for Summary Judgment be denied and that Plaintiff's motion be granted. The Magistrate Judge also recommended that the

Commissioner's findings be reversed, and that this matter be remanded to the Commissioner pursuant to Sentence Four for further proceedings consistent with the R&R.

In his Report and Recommendation, the Magistrate Judge informed the parties that objections to the R&R needed to be filed "within (14) days of service" and that a party's failure to file objections would waive any further right of appeal. (Doc. No. 16 at 46). Neither party filed an objection. Moreover, this Court agrees with the analysis contained in the R&R.

Accordingly, the Court **ADOPTS** the Magistrate Judge's recommendation, **DENIES** Defendant's Motion for Summary Judgment, **GRANTS** Plaintiff's Motion for Summary Judgment, **REVERSES** the findings of the Commissioner, and **REMANDS** this matter for further proceedings pursuant to Sentence Four.

**IT IS SO ORDERED.**

Date: March 18, 2015

s/Marianne O. Battani  
MARIANNE O. BATTANI  
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing Order was served upon counsel of record via the Court's ECF System to their respective email addresses or First Class U.S. mail to the non-ECF participants on March 18, 2015.

s/ Kay Doaks  
Case Manager